

**Palm Bay
Police
Department**

Q1 2021

Professional Standards Unit
Annual Report

Chief Nelson Moya



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Internal Investigations

The Agency has maintained procedures to implement discipline in cases where an employee is negligent in their duties or engages in misconduct.

Internal Investigations are formal investigations conducted by the Internal Affairs Unit on complaints which allege serious violations of policy regulations, procedures, criminal acts or corruption or consideration of progressive discipline which would result in employee suspension or greater if sustained. If it is possible, a sworn statement from the complainant will be obtained. Only the Chief or his designee can authorize an Internal Investigation.

The Internal Affairs Unit will forward the results of an Internal Investigation to the Chief with a written recommendation as to find the case with one of these outcomes:

- **Sustained** - The allegation has been investigated and the facts show that the allegation is true, and the action taken was not consistent with agency policy.
- **Not Sustained** - The allegation has been investigated and there is insufficient proof to confirm or refute the allegation.
- **Unfounded** - The allegation has been investigated and either the allegation is demonstrably false or there is no credible evidence to support it.
- **Exonerated** - The allegation has been investigated and the facts indicate that the action taken was consistent with agency policy or a violation of policy has occurred but was justified due to exigent circumstances.

The chart below shows the internal investigations that were open in the **1st Quarter 2021** and the final disposition.

| CASE NUMBER | COMPLAINT TYPE | FINAL DISPOSITION |
|-------------|----------------------|-------------------|
| II2021-001 | Domestic Disturbance | Not Sustained |

Division Inquiries are complaints, which allege minor violations or improper use of procedure. DIs are informal inquiries conducted by the employee's chain of command and do not involve the administration of corrective action greater than a written letter of counseling. Only the Chief or his designee can authorize a DI. Divisional Inquiries have the same disposition categories as Internal Investigations.

Below is a chart of the Divisional Inquiries for the **1st Quarter 2021**.

| CASE NUMBER | COMPLAINT TYPE | FINAL DISPOSITION |
|-------------|----------------------|-------------------|
| DI2021-001 | Lost Equipment | Sustained |
| DI2021-002 | Vehicle Operations | Sustained |
| DI2021-003 | Courtesy Towards All | Not Sustained |
| DI2021-004 | Vehicle Operation | Not Sustained |
| DI2021-005 | Vehicle Operation | Sustained |
| DI2021-006 | Use of Equipment | Sustained |

Response To Resistance

Officers should always try to resolve a situation with the least amount of force necessary. Command presence and verbal communication often will defuse many volatile situations. Sometimes, however, these are not enough, or officers may not have an opportunity to use them. Officers need not apply force in gradually increasing steps to justify physical control or even deadly force. Instead, officers need to respond with all the force reasonably necessary for the circumstances in each specific situation.

Any time an officer uses force on a subject they are required to complete a response to resistance form which outlines the type of force used, the purpose for the use of force, subject's resistance level and a review by the supervisor. This form is then forwarded to the Internal Affairs Sergeant, the information is then used to identify trends and patterns of activity to determine any future training needs for Department members. This data is also used in preparation of the department's Use of Force Report, with prior year's data being displayed for comparison.

There were **31** Response to Resistance reports in **Q1 2021**, the following are breakdowns by race, gender, and age of subjects.

| Race | White | Black | Hispanic |
|-------------------|-------|-------|----------|
| Total | 14 | 12 | 5 |
| Percentage | 45% | 39% | 16% |

| Gender | Male | Female |
|-------------------|------|--------|
| Total | 25 | 6 |
| Percentage | 81% | 19% |

| Age | Male | Female |
|------------|------|--------|
| Under 18 | 4 | 0 |
| 18-28 | 9 | 3 |
| 29-38 | 3 | 1 |
| 39-50 | 5 | 1 |
| Over 50 | 4 | 1 |

The following is a breakdown of the types of resistance encountered and the force used in the **31** total reports documented in **Q1 2021**.

| Level of Resistance | Passive | Active | Aggressive | Deadly |
|----------------------------|---------|--------|------------|--------|
| Total | 2 | 20 | 7 | 2 |
| Percentage | 6% | 65% | 23% | 6% |

The following breakdown is the force type used in response to resistance for the **31** responses to resistance reports for **Q1 2021**. These options include physical control measures, non-lethal weapons, or deadly force.

| Force Type | Total |
|-------------------|--------------|
| Physical Control | 23 |
| Canine | 0 |
| Taser | 12 |
| TARP* | 4 |

* TARP stands for tactical appendage restraint packaging; this procedure can be used to secure violent prisoners or violent mentally ill persons from hurting themselves or damaging the transport vehicle. The procedure incorporates the use of handcuffs, shackles, headgear, and rope to effectively immobilize violent people while being transported. TARP of a prisoner must be approved by a field supervisor and must be documented with a Response to Resistance Report. There were 1 “TARP USE ONLY” as no other force was used beyond restraining uncooperative subjects. This count was not factored in the above-mentioned Use of Force.

All 31 incidents reported in Q1 2021 were found to be within agency policy.

Officer response levels consisted mainly of Physical Control (23) and Taser use (12).

There were 2 Deadly Force incidents during Q1 2021.

- On 3/7/2021 Officers exchanged gunfire with a suspect who eventually was apprehended (no one was hurt during this incident).
- On 3/14/2021 Officers exchanged gunfire with a suspect who is now deceased (officers were not hurt during this incident).

Response to Resistance Quarterly Comparison

| Qtr. | White | % | Black | % | Hispanic | % | Total |
|--------|-------|-----|-------|-----|----------|-----|-------|
| 2020 4 | 11 | 42% | 13 | 50% | 2 | 8% | 26 |
| 2020 3 | 15 | 56% | 9 | 33% | 3 | 11% | 27 |
| 2020 2 | 14 | 44% | 14 | 44% | 4 | 12% | 32 |
| 2020 1 | 14 | 70% | 5 | 25% | 1 | 5% | 20 |
| 2019 4 | 19 | 54% | 14 | 40% | 2 | 6% | 35 |
| 2019 3 | 22 | 65% | 7 | 21% | 5 | 14% | 34 |
| 2019 2 | 19 | 63% | 11 | 37% | 0 | 0% | 30 |
| 2019 1 | 11 | 58% | 7 | 37% | 1 | 5% | 19 |

P.A.R.S. (Performance Assessment and Review System)

The Performance Assessment and Review System (PARS) is designed to reflect the Agency’s commitment to the integrity and accountability of its employees. The system is established to track and review incidents or behavior, as defined by the Agency, of risk to the agency and the involved employee. This system has been implemented to identify and assess employee performance involved in potential risk incidents and intervene when appropriate. The goal of intervention is non-disciplinary but is to formulate an action plan to assist the employee to improve performance and/or correct problems identified by the Agency, usually through counseling or training.

There were 18 officers who met the PARS threshold criteria in Q1 2021. 2 of those officers met that threshold criteria more than once.

There were no action plans during Q1 2021 under G.O. 224. Pursuant to reviews with direct supervisors of the involved officers, no patterns or concerns were discovered that would warrant additional action.

Vehicle Pursuits

There was **1** vehicle pursuit in **Q1 2021**, an administrative review is still under review.

Traffic Accidents

There were **6** officer involved vehicle accidents in **Q1 2021**, **0** of those involved injuries and **2** of the reported accidents were preventable which resulted in a sustained Division Inquiries finding the officers at fault.

Biased Policing Complaints

There were no complaints of biased policing made to the Internal Affairs Unit in **Q1 2021**.

Traffic Stop Demographic Data

In **Q1 2021**, officers conducted **2,607** traffic stops. **420** citations were written (**16%**) and **2,187** warnings were issued (**84%**).

The following chart is a comparison of traffic stops by race and whether they were issued a ticket or warning.

| Race | Total Stops | Citations | Warnings | Percentage of Warnings |
|----------|-------------|-----------|----------|------------------------|
| White | 1,553 | 258 | 1,295 | 83% |
| Black | 730 | 111 | 619 | 85% |
| Hispanic | 301 | 48 | 253 | 84% |
| Asian | 21 | 3 | 18 | 86% |
| Other | 2 | 0 | 2 | 100% |

Asset Forfeiture and Seizure Data

There were **2** seizures in **Q1 2021**. Currency was seized in **1** incident with a total of **\$1,584** and vehicles were seized in **1** incident. In no incidents did a combination of currency and vehicles seized together occurred.

The following chart is a comparison of subjects involved in the seizures by race.

| Race | Total | Percentage |
|----------|-------|------------|
| White | 0 | 0% |
| Black | 1 | 50% |
| Hispanic | 1 | 50% |
| Other | 0 | 0% |

This concludes the **Q1 2021** Report.